

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SUCRE NUNEZ,

Plaintiff,

-v-

BROADWAY BEAUTY WHOLESALE  
INC.,

Defendant.

19-CV-362 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On May 7, 2021, the Court granted a motion to withdraw filed on behalf of counsel for Defendants Broadway Beauty Wholesale Inc. and Musthafa Kamal. (Dkt. No. 36.) In doing so, the Court ordered Defendants to obtain new counsel and have new counsel file an appearance by May 21, 2021.<sup>1</sup> (*Id.*) On May 21, 2021, Defendants requested a 60-day extension of their time to obtain new counsel. (Dkt. No. 37.) This letter was received and docketed on June 9, 2021. (*Id.*) To date, new counsel has not appeared on behalf of Defendants: Defendants have missed their deadline.

The Court grants Plaintiff Sucre Nunez's request for a conference to discuss the status of this case, in light of Defendants' failure to obtain new counsel. Defendant Musthafa Kamal and counsel for Plaintiff are directed to appear telephonically for a status conference with the Court on September 7, at 11:00 a.m. The parties should call (888) 557-8511 at the scheduled time. The access code is 9300838.

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<sup>1</sup> Defendant Kamal has the option of proceeding *pro se*, or without counsel, for his own defense. He may not, however, represent Defendant Broadway Beauty Wholesale Inc. *See Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007). To the extent that Defendant Kamal intends to proceed *pro se*, he will promptly inform the Court of this decision.

All conferences with the Court are scheduled for a specific time; there is no other matter scheduled for that time. The parties are directed to appear promptly. Requests to reschedule the conference may be made only in a writing received not later than two business days before the conference. The written submission must (a) specify the reasons for the adjournment, (b) state whether the other parties have consented, and (c) indicate times and dates when all parties are available. Unless the parties are notified that the conference has been adjourned, it will be held as scheduled.

For information on the Court's practices in *pro se* cases, including information on how to communicate questions to the Court, the parties should refer to the Individual Rules of Practice in *Pro Se* Cases, which are available at <https://nysd.uscourts.gov/hon-j-paul-oetken>.

Should Defendants' non-participation in this case persist, the Court may permit Plaintiff to file a motion for default judgment against them.

SO ORDERED.

Dated: August 18, 2021  
New York, New York

  
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J. PAUL OETKEN  
United States District Judge